

Regional Policy Position on Trinity River Corridor – 1989

Adopted by the Trinity River Corridor Steering Committee and the Executive Board of the North Central Texas Council of Governments



The Dallas/Fort Worth metroplex is the largest inland metropolitan region in the country, surrounding a relatively small stream named the Trinity River. To assure adequate water supply to the region's 4 million people, upstream reservoirs have been built on all major forks and tributaries. Thus, the summer flows in the West Fork and Main Stem of the river consist primarily of highly-treated wastewater effluent, while the Elm Fork conveys mostly lake releases to a Dallas water treatment plant.

Long-standing federal plans to construct a barge canal from Fort Worth to the Gulf were abandoned in the early 1980's, leading to numerous unrelated requests for federal permits to reclaim portions of the flood plain for commercial and residential development. The Fort Worth District of the U.S. Army Corps of Engineers, which was formed after severe river flooding in the 1940's, has completed a three-year regional study of the cumulative effects of alternative development scenarios. Throughout this effort they have worked closely with elected officials and staff from the nine affected cities and three counties through the North Central Texas Council of Governments.

The Corps of Engineers indicates that two major conclusions have emerged from their Final Regional Environmental Impact Statement. The first "reemphasizes that a widespread lack of Standard Project Flood (SPF) protection currently exists" throughout the river corridor. The SPF flood plain now consists of about 69,500 acres, with 4,400 acres of residential property and 10,000 acres of commercial/industrial property. Damages to property if a Standard Project Flood were to occur today could approach several billion dollars.

The second major Corps of Engineers conclusion is that "different permitting strategies have a measurable and significant impact on the extent of increase of this lack of SPF protection." Under the most extensive development scenario, flood damages could triple the estimates for the baseline condition, not including the catastrophic effects if the Dallas Floodway levees were breached. However, the Corps of Engineers has stated that it has limited permit authority in the flood plain to affect these scenarios, and that any solutions must come from a cooperative approach among local governments.

Since mid-1986, NCTCOG has been serving as convenor and facilitator of affected local governments in pursuit of a COMMON VISION for the Trinity River Corridor. The Regional EIS provides invaluable information to aid local governments in this quest. The Steering Committee of elected officials which is guiding the interjurisdictional program has recognized that even under existing developed conditions many citizens and many thousands of acres of land are under the threat of flooding in SPF conditions. Until a major flood control program can be completed to reduce or eliminate the existing flooding threats, the continuing pressure for development of the flood plain must be managed in the most practical and equitable manner possible to at least stabilize current levels of flooding risk. Attention must also be placed on meeting water and other environmental quality goals and implementing desired regional public facilities.

As a significant next step in its pursuit of a COMMON VISION, the Trinity River Corridor Steering Committee revises and adopts this **Regional Policy Position on Trinity River Corridor – 1989**.

The Trinity River Corridor is a unique regional resource.

The 100-mile Trinity River Corridor includes the Standard Project Flood (SPF) flood plain of the West Fork, Elm Fork, Main Stem and major tributaries from the reservoir dams downstream to south Dallas. The river corridor is a unique regional resource in the heart of a growing metroplex. Desires to reclaim or preserve it can and will obviously conflict — there is room in the 70,000 acres of the corridor for both. The river corridor is valuable to all 4 million residents of the region and the millions to come.

Local governments must be the stewards of the Trinity River Corridor.

Whatever is done to reclaim or preserve the river corridor will require local government action — zoning, permits, capital expenditures, maintenance. While other governmental bodies, such as levee districts, several state agencies, and three Federal agencies, have fragmented authority within the river corridor, local governments are directly responsible for the overall health, safety and welfare of their own citizens. Thus, local governments must take the lead as stewards of the river corridor.

Individual local goals can only be achieved through cooperative management.

The river corridor encompasses portions of at least nine cities and three counties. No single local government can attain its own goals alone, since actions of upstream and downstream communities will directly affect them. The participating local governments have recognized this even more clearly as they have reviewed the Final Regional EIS, and have reaffirmed their desire to pursue a COMMON VISION for the Trinity River Corridor.

The following policy statements reflect actions to be accomplished by the participating local, state and federal agencies between 1988 and 1990 to stabilize the existing risk of flooding, explore alternatives to reduce this risk, initiate a world-class Trinity Greenway strategy, and continue to improve water and other environmental quality conditions. The participating cities are providing \$200,000 to NCTCOG to continue its coordination and technical assistance role, and to facilitate local involvement in the new Corps Reconnaissance Study.

A key to successful cooperative management is common permit criteria.

A significant finding from the Final Regional EIS is that different local policies for flood plain reclamation can increase or reduce the risk of flooding or the potential for water quality degradation. Each city in the river corridor currently uses its own set of criteria for permitting a development project, which must meet minimum flood insurance requirements. To assure successful cooperative management, participating local governments are committing to use common criteria for permit decisions.

Principles for the common criteria have been developed jointly by the local governments and Corps of Engineers in response to the Regional EIS findings.

During late 1987, the local governments and the Corps of Engineers spent many hours negotiating principles for common permit criteria that would stabilize the existing threat of flooding while allowing limited flood plain development. The criteria approved in the Corps' Record of Decision are derived from the Corps' interim criteria. They are intended to be applied for the entire flood plain, not just the Corps' jurisdictional area. Cities could still have site-specific requirements as long as they would not conflict with the common criteria.

The common criteria will be applied by local governments, the Corps of Engineers, and other state/federal agencies through a new Corridor Development Certificate process.

To insure coordination among all permitting agencies in the use of the common criteria, the Steering Committee has endorsed a new Corridor Development Certificate (CDC) process. While each city retains development authority within its jurisdiction, a joint process of notification, Corps technical analysis and local government review is performed for each application. To aid permit applicants and assure consistency of interpretation, a criteria manual should be developed which clearly describes and illustrates the common permit criteria.

A computerized Trinity River Information Network is being initiated by NCTCOG to track public and private actions.

It is clear from the recent program that there is poor tracking of projects along the corridor and inadequate communication among local, state and federal agencies. TRIN will be a computer mapping and geographic information management system maintained by NCTCOG. It will serve as permanent documentation of permit decisions, and be used as input by the Corps of Engineers and others to the hydraulic/hydrologic computer models.

Expanded technical assistance within the river corridor should be provided by the Corps of Engineers.

It is extremely important that computer modeling of the river corridor be performed on a consistent basis so that the impacts of a proposed development activity can be fairly evaluated under the common criteria. The local governments have provided the Corps with the most up-to-date baseline information available, and are agreeing to use the Corps models in current studies. However, it is recognized that extensive new aerial photography, topography, cross-sections, and related data is needed to improve the reliability of the computer models for use in permitting and detailed design studies.

A regional review and comment process on major actions is being established.

To improve communication among affected local governments, and coordination with state and federal agencies, a Notice of Intent to Process a CDC application will be distributed by the appropriate city to all other local governments in the corridor, the Corps, FEMA and Texas Water Commission for comment. The city will consider these comments as it makes its decision whether or not to grant a CDC.

A Trinity Greenway of major parks linked by a regional trails system is being pursued.

Tens of thousands of acres of open space are being preserved within the river corridor with outstanding potential for active and passive recreation. Even if the most extensive development scenario were implemented, the remaining open space acreage would equal more than twenty New York Central Parks. Using TRIN, local parks and recreation professionals will prepare a realistic Trinity Greenway strategy of major parks linked by a regional trails system. Funding priorities for implementing such a greenway will be sought from the Texas Parks and Wildlife Department in their 1990 Texas Outdoor Recreation Plan.

Studies to identify the causes and solutions to periodic fish kills should be continued.

Dissolved oxygen quality in the river under normal flow conditions has improved significantly during the last decade, as major wastewater treatment plants have been upgraded. However, fish kills occurred downstream of the region in 1985 and 1986 during peak river flow events with low dissolved oxygen levels. The Texas Water Commission should continue its lead role in coordinating local, state and federal studies to document the causes of these fish kills and to identify realistic and effective solutions.

Scientifically-sound information on toxic pollutants should be obtained.

In the past, limited sampling of river bottom sediments at scattered sites has found elevated levels of selected toxic pollutants. Several monitoring studies are now underway to determine the levels of selected pesticides and heavy metals in the water and fish. The Texas Water Commission should use scientifically-sound technical data as the basis for setting any new toxic standards required by federal law.

Sites for future regional stormwater detention basins should be preserved.

As identified in the Final Regional EIS, sites for future regional wet detention ponds should be preserved, since the fish kill studies or the emerging EPA storm water permit requirements on cities may identify a need for such facilities as an alternative to costly stormwater treatment. However, the need for tertiary treatment of wastewater effluent by land application in the flood plain has not been justified at this time.

Particular attention should be given to desired regional public facilities.

There are important regional public facilities that must be protected from potential flooding damages, such as the joint system wastewater treatment plants. New public facilities such as bridge crossings, a potential parkway, and the RAILTRAN mass transit system must be planned carefully and comply with the common criteria.

The Corps is identifying alternatives to reduce flooding risks and provide environmental enhancements in its Reconnaissance Study.

During 1988, the participating local governments aided the Corps in obtaining Congressional appropriations of \$680,000 to conduct a Reconnaissance Study of the Upper Trinity basin. The purpose is to identify problems and opportunities, identify potential solutions, determine whether a federal interest is warranted, identify the local sponsor(s), and outline the next steps to be addressed in a Feasibility Study. The Reconnaissance Study began in October 1988 and is expected to be completed in early 1990. Close coordination is occurring with local governments through the Steering Committee and staff.

The full range of nonstructural and structural alternatives should be examined without restrictions by the State.

In its studies, the Corps should examine the full range of nonstructural and structural alternatives to reduce flood damages, enhance water and environmental qualities, and provide for recreation. It would be inappropriate for the State Legislature to enact restrictions on the options which could be implemented for the Elm Fork, West Fork or Main Stem.

State and Federal funding for the Feasibility Study should be earmarked for FY91 and beyond.

It is already clear that there are at least two nonstructural cooperative projects for further refinement in a Feasibility Study. One is the improvement of the Corps' computer models through an extensive data collection effort, so that they can serve as useful tools in the CDC permitting process to stabilize the flooding risk. Interest has also been registered by Dallas, the River Forecast Center and others to explore the benefits of a sophisticated computer-based Flood Warning System. The initial portion of the four-year \$5 million Feasibility Study needs to begin in FY91 with 50% federal funding and 50% state and/or local matching funds.

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Trinity River Corridor Interjurisdictional Management Program "In Pursuit of a Common Vision"

Designated Local Government Representatives:

<u>Jurisdiction</u>	<u>Steering Committee</u>	<u>Flood Mgmt. Task Force</u>
City of Arlington	Ken Groves Councilmember	Jerome F. Ewen , Asst. Dir. of Community Dev.
City of Carrollton	Gary Blanscet Councilmember	Pat Canuteson City Engineer
City of Coppell	Mark Wolfe Councilmember	Russell Doyle City Engineer
City of Dallas	John Evans Mayor Pro Tem	Michael H. Askew Program Manager
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Adopted by the Trinity River Corridor Steering Committee and the Executive Board of the North Central Texas Council of Governments on January 26, 1989 and February 23, 1989 respectively.

What is NCTCOG?

The North Central Texas Council of Governments is a voluntary association of cities, counties, school districts, and special districts — established in January 1966, to assist local governments in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development.

The Council of Governments is an organization of, by, and for local governments. Its purpose is to strengthen both the individual and collective power of local governments — and to help them recognize regional opportunities, resolve regional problems, eliminate unnecessary duplication, and make joint regional decisions. NCTCOG also assists in developing the means to implement those decisions.

North Central Texas is a 16-county metropolitan region centered around Dallas and Fort Worth. Currently the Council has 204 members, including 16 counties, 149 cities, 21 independent school districts, and 18 special districts. The area of the region is approximately 12,800 square miles, which is larger than nine states, and the population of the region is over 4.0 million, which is larger than 29 states.

For more information contact:

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